

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

THE NOCO COMPANY,	)	CASE NO. 1:20-cv-02322
	)	
Plaintiff,	)	JUDGE DAVID A. RUIZ
	)	
v.	)	
	)	
AUKEY TECHNOLOGY CO., LTD., et	)	
al.,	)	
	)	
Defendants.	)	
	)	

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JOINT MOTION FOR EXTENSION OF DISCOVERY DEADLINE

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Pursuant to Federal Rule of Civil Procedure Rule 6(b), Plaintiff The NOCO Company (“*NOCO*”) and Defendants Aukey Technology Co., Ltd., (“*Aukey*”), Shenzhenshi Jiangyun Shangmaoyouxiangongsi (“*HuiMing*”), and Wodeshijikeji Shenzhen Youxiangongsi (“*WorldUS*”) (collectively, the “*Parties*”) jointly request that this Court issue an order modifying the discovery deadlines it set forth in its December 7, 2022 Non-Document Order. Counsel for the Parties conferred in good faith before filing this Motion and jointly agreed to seek such an extension, which would revise the discovery deadlines by approximately 180 days and move the fact discovery deadline from April 5, 2023, up to and including **October 2, 2023**. The Parties make this request not for the purposes of delay but because they have been working in good faith to conduct, but need additional

time to complete, international discovery and third-party discovery while also focusing their recent efforts on the upcoming April 25, 2023 mediation conference.

When ruling on the Parties' December 6, 2022 joint motion for extension of case deadlines, the Court set the following case deadlines:

<u>Event</u>	<u>Deadline</u>
Fact Discovery	April 5, 2023
Affirmative Expert Reports	May 30, 2023
Defensive Expert Reports	July 3, 2023
Rebuttal Expert Reports	July 31, 2023
Expert Discovery	August 28, 2023
Dispositive Motions	September 25, 2023

Since December 2022 — as more fully set forth in the Parties' March 15, 2023 joint status report (ECF # 44) — the Parties have agreed to ESI search terms and are actively retrieving and reviewing documents for production. That being said, the Chinese Ministry of State Security has imposed measures under Chinese law which apply to Defendants' document production and require an additional layer of review by a Chinese law firm before any documents are sent outside the country and made available to U.S. litigation counsel. NOCO has also continued conducting third-party discovery and has communicated regarding the same with counsel for Defendants. Recently, the Parties have focused their efforts on the upcoming April 25, 2023 mediation.

With this Motion, the Parties respectfully request the following revised case schedule:

<u>Event</u>	<u>Previous Deadline</u>	<u>New Deadline</u>
Fact Discovery	April 5, 2023	October 2, 2023
Affirmative Expert Reports	May 30, 2023	November 28, 2023
Defensive Expert Reports	July 3, 2023	January 5, 2024
Rebuttal Expert Reports	July 31, 2023	February 2, 2024
Expert Discovery	August 28, 2023	March 1, 2024
Dispositive Motions	September 25, 2023	April 26, 2024

During this additional time, the Parties intend to review and exchange documents and conduct any necessary follow-up paper discovery. The Parties also intend to conduct at least a total of four depositions of party representatives or affiliates. These processes may be complicated (and arranging the depositions will be complicated) by the requirements of foreign law, travel restrictions, and coordinating the schedules of the Parties, their affiliates, witnesses, and counsel. Additionally, the discovery process vis-à-vis the Parties is further complicated by third-party discovery, which has moved very slowly.

Accordingly, the Parties propose that the Court modify the discovery deadlines as set forth above. The Parties need more time for discovery to investigate and develop their legal theories and defenses. Further, the extension of the fact discovery deadline may allow the Parties to preserve resources and focus on settlement with the upcoming mediation. Accordingly, the Parties submit that good cause exists to justify the requested extension and request that the Court issues an order resetting the case deadlines as set forth above.

Respectfully submitted,

ANALECTS LEGAL LLC

/s/ Peter J. Curtin

Peter J. Curtin (*pro hac vice*)  
1212 S. Naper Blvd.  
Suite # 119 – PMB 238  
Naperville, IL 60540  
(240) 432-3267  
pcurtin@analectslegal.com

TUCKER ELLIS LLP

Jay R. Campbell (0041293)  
David A. Bernstein (0093955)  
950 Main Avenue, Suite 1100  
Cleveland, OH 44113  
Telephone: 216.592.5000  
Facsimile: 216.592.5009  
E-mail: jay.campbell@tuckerellis.com  
david.bernstein@tuckerellis.com

*Counsel for Defendants*

KOHRMAN JACKSON & KRANTZ LLP

/s/ Jon J. Pinney

JON J. PINNEY (0072761)  
JONATHON W. GROZA (0083985)  
NATHAN F. STUDENY (0077864)  
KYLE D. STROUP (0099118)  
One Cleveland Center, 29th Floor  
1375 East Ninth Street  
Cleveland, Ohio 44114  
Telephone: (216) 696-8700  
Facsimile: (216) 621-6536  
Email: jjp@kjk.com; jwg@kjk.com; nfs@kjk.com;  
kds@kjk.com

*Counsel for Plaintiff The NOCO Company*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing was filed electronically via the Court's electronic docketing system on April 5, 2023. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Jon J. Pinney

Jon J. Pinney

*Counsel for Plaintiff The NOCO Company*